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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,684	06/26/2003	Bernd Moller	P16433-US2	5302

27045 7590 09/12/2006

ERICSSON INC.
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EXAMINER	
HANNON, CHRISTIAN A	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/606,684	MOLLER ET AL.	
	Examiner	Art Unit	
	Christian A. Hannon	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-15 and 17-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-15 and 17-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-4, 6-15 & 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arroyo et al (US 2003/0221024), hereinafter Arroyo, in view of Jacobson (US 7.020,598).

Regarding claim 1, Arroyo teaches a platform system comprising a software services component comprising at least one functional software unit (Figure 2, Item 40; Arroyo), a hardware component comprising at least one hardware unit associated with the at least one functional software unit (Page 2, [0023]; Arroyo) and a software interface component comprising at least one software interface (Page 2, [0023]), or middleware API, the software interface component being adapted to isolate the hardware component and software services component from user applications (Page 2, [0023]; Figure 2, Items 40, 60, 110, 130; Arroyo). However Arroyo fails to teach the software interface component being adapted to provide access by a mobile terminal application software for testing the mobile terminal to the software services component and the hardware component during testing of a mobile terminal and during a lifecycle of the mobile terminal, and wherein a code space occupied by the mobile terminal

application software may be overwritten after the testing of the mobile terminal has been completed. Jacobson teaches a software interface component being adapted to provide access by a mobile terminal application software for testing the mobile terminal to the software services component and the hardware component during testing of a mobile terminal and during a lifecycle of the mobile terminal (Column 12, Lines 44-53; Column 15; Lines 1-14; Jacobson), and wherein a code space occupied by the mobile terminal application software may be overwritten after the testing of the mobile terminal has been completed (Column 13, Lines 4-14; Jacobson). Therefore it would have been obvious to combine the teachings of Arroyo with those of Jacobson in order to provide for a means in Jacobson to restore or upgrade factory settings or other special requests that any manufacturer would want to add.

With regard to claim 2, Arroyo and Jacobson teach the platform system of claim 1, wherein the mobile terminal application software comprises software for testing the mobile during production of the mobile terminal (Column 1, Lines 5-11; Jacobson). It is noted by the examiner that the teachings of both references are able to be tested during production.

Regarding claim 3, Arroyo and Jacobson teach the platform system of claim 1, wherein the mobile terminal application software comprises software for testing the mobile terminal during servicing of the mobile terminal during the lifecycle of the mobile terminal (Column 1, Lines 5-11; Jacobson).

With respect to claim 4, Arroyo and Jacobson teach the platform system of claim 1, wherein the software interface component comprises a middleware services layer (Figure 2, Item 60; Arroyo).

Regarding claim 6, Arroyo and Jacobson teach the platform system of claim 2, wherein the mobile terminal application software comprises software for use during servicing of the mobile terminal during the lifecycle of the mobile terminal (Column 1, Lines 5-11; Jacobson).

With regard to claim 7, Arroyo and Jacobson teach the platform system of claim 6, further comprising the mobile terminal application software (Figure 2, Item 40; Arroyo).

In regard to claim 8, Arroyo and Jacobson teach the platform system of claim 1, further comprising the mobile terminal application software, wherein the mobile terminal application software comprises software for testing the mobile terminal during servicing of the mobile terminal during the lifecycle of the mobile terminal (Column 15, Lines 1-13; Jacobson).

Regarding claim 9, Arroyo and Jacobson teach the platform system of claim 1, wherein the hardware component interfaces with a factory test system , the factory test system being adapted to control the software for testing the mobile terminal during production of the mobile terminal (Column 2, Lines 17-29; Jacobson). It is noted by the examiner that an obvious advantage that becomes apparent through remote testing facilities is that a mass group of phones at production may be tested using the same system, thereby Jacobson teaches the claim limitation.

With respect to claim 10, Arroyo and Jacobson teach the platform system of claim 1, wherein the hardware component interfaces with a factory test system, the factory test system being adapted to control the software for testing the mobile terminal during servicing of the mobile terminal during the lifecycle of the mobile terminal(Column 2, Lines 17-29; Jacobson).

Regarding claim 11, Arroyo and Jacobson teach the platform system of claim 1, wherein the mobile terminal is for use in a wireless telecommunications system (Column 1, Lines 45-50; Jacobson).

In regards to claim 12, Arroyo teaches a method of testing a mobile terminal providing in the mobile terminal a software interface component having at least one software interface (Figure 2, Item 60; Arroyo), the software interface component adapted to isolate software service components and hardware components of the mobile terminal from user application software (The software interface component is middleware; Page 2, [0023]; Arroyo). However Arroyo fails to explicitly teach interoperably connecting the mobile terminal to a test system, providing via the interface component of access by a mobile terminal test application software to the software and hardware of the mobile terminal during testing of the mobile terminal, controlling by the test system, the mobile terminal test application software via an external interface during the testing of the mobile terminal, retaining the software interface component the hardware and the software on the mobile terminal and deleting the mobile terminal test application software from the mobile terminal. Jacobson teaches interoperably connecting the mobile terminal to a test system (Column 2, Lines 17-29; Jacobson),

providing via an interface component access by a mobile terminal test application software to software and hardware of a mobile terminal during testing of the mobile terminal (Column 12, Lines 44-53; Column 15; Lines 1-14; Jacobson), controlling by the test system, the mobile terminal test application software via an external interface during the testing of the mobile terminal (Column 2, Lines 17-29; Jacobson) retaining the software interface component the hardware and the software on the mobile terminal and deleting the mobile terminal test application software from the mobile terminal (Column 12, Lines 43-67; Column 13, Lines 1-14; Jacobson). Therefore it would have been obvious to combine the teachings of Arroyo with those of Jacobson in order to provide for a means in Jacobson to restore or upgrade factory settings remotely or other special requests that any manufacturer would want to add from a remote location.

With regard to claim 13, Arroyo and Jacobson teach the method of claim 12, further comprising the step of using the mobile terminal in a wireless communication system (Column 1, Lines 45-50; Jacobson).

Regarding claim 14, Arroyo and Jacobson teach the method of claim 12 further comprising deleting the mobile terminal test application software from the mobile terminal after the testing of the mobile terminal has been completed (Column 14, Lines 58-61; Jacobson).

With regard to claim 15, Arroyo and Jacobson teach the method of claim 12 further comprising the step of deleting the mobile terminal test application software from the mobile terminal after it has been provided to a customer (Column 14, Lines 58-61; Jacobson).

Regarding claim 17, Arroyo and Jacobson teach the method of claim 15, further comprising adding application software in a code space previously occupied at least in part by the deleted mobile terminal test application software (Column 14, Lines 58-67; Jacobson). It is obvious and well known in the art that given a limited amount of memory, a computer system will reclaim memory that is no longer in use, that which was 'deleted', for new applications or data.

With regard to claim 18, Arroyo and Jacobson teach the method of claim 12, wherein the mobile terminal application software comprises software for testing the mobile terminal during production of the mobile terminal. (Column 2, Lines 17-29; Jacobson). It is noted by the examiner that an obvious advantage that becomes apparent through remote testing facilities is that a mass group of phones at production may be tested using the same system, thereby Jacobson teaches the claim limitation.

With regard to claim 19, Arroyo and Jacobson teach the method of claim 12, wherein the mobile terminal application software comprises software for testing the mobile terminal during servicing of the mobile terminal during the lifecycle of the mobile terminal (Column 1, Lines 5-11; Jacobson).

Response to Arguments

3. Applicant's arguments with respect to claims 1-4,6-15 & 17-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carr (US 2003/0135785) discloses a configuration proxy service for the extended firmware interface environment.

Sharma et al (US 2003/0115018) disclose a method and apparatus for remote diagnosis of an ultrasound scanner.

Cheng (US 2004/0015809) discloses a code generation for integrating devices into a middleware framework.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian A. Hannon whose telephone number is (571) 272-7385. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian A. Hannon
August 30, 2006

QUOCHIEN B. VUONG
PRIMARY EXAMINER

9/01/06